

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

C.L.

**v.
KENNETH WAYNE HARTL**

RESPONDENT,

APPELLANT.

DOCKET NUMBER WD79007

DATE: August 9, 2016

Appeal From:

Jackson County Circuit Court
The Honorable S. Margene Burnett, Judge

Appellate Judges:

Division Two: Karen King Mitchell, Presiding Judge, Cynthia L. Martin, Judge and Gary D. Witt, Judge

Attorneys:

Nancy K. Putman, Independence, MO, for respondent.

David B. Mandelbaum, Leawood, KS, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

C.L.,

RESPONDENT,

v.

KENNETH WAYNE HARTL,

APPELLANT.

No. WD79007

Jackson County

Before Division Two Judges: Karen King Mitchell, Presiding Judge, Cynthia L. Martin, Judge, and Gary D. Witt, Judge

Appellant, Kenneth Wayne Hartl ("Hartl"), appeals from the judgment of the Circuit Court of Jackson County granting a full order of protection to Respondent, C.L. ("C.L."). In his sole point on appeal, Hartl argues that the circuit court erred in granting the order because C.L. failed to prove, by a preponderance of the evidence, that Hartl's action constituted domestic violence or stalking.

AFFIRMED.

Division Two holds:

The trial court did not err in granting to C.L. a full order of protection. Hartl displayed a pattern of stalking C.L., which included multiple phone calls to C.L.; repeatedly driving by her residence; confronting her at her mother's funeral; and forcing his way into C.L.'s home, leading to a 911 call. There was sufficient evidence to demonstrate that C.L. was in fear of physical harm and such fear was reasonable.

Opinion by: Gary D. Witt, Judge

August 9, 2016

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